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Law

Thomas J. Healey
Counsel - Regulatory

17641 S Ashland Avenue
Homewood, IL 60430-1339

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F - 708-332-4361
tom.healey@cn.ca



March 28, 2007

Surface Transportation Board
ATTN: Secretary
1925 K Street, N.W.
Washington, D.C. 20423-0001

Re: Environmental Report, Historic Report and Required Certifications for
Docket No. AB-31 (Sub-No. 41X),
Grand Trunk Western Railroad Incorporated Notice of Exemption for
Abandonment in Oakland County, Michigan

Dear Secretary:

Grand Trunk Railroad Western Incorporated intends on filing a Notice of Exemption for the above-referenced proposed abandonment any time on or after April 18, 2007. Enclosed for the above-referenced Abandonment Exemption are the following, which are required by 49 C.F.R. Part 1105:

1. An original and ten copies of the Environmental/Historic Report
2. An original and ten copies of the transmittal letter that accompanied the reports, and
3. An original and ten copies of a certificate demonstrating compliance with the requirements of 49 C.F.R. Part 1105

Please stamp and return the duplicate copy of this letter to my attention to indicate that you received the items listed.

I feel free to call me if you have any questions.

Respectfully submitted,

Thomas J. Healey
Attorney

Encls

ENTERED
Office of Proceedings

MAR 30 2007

Part of
Public Record

Docket No AB-31 (Sub-No. 41X)

**GRAND TRUNK WESTERN
RAILROAD INCORPORATION**

**NOTICE OF EXEMPTION FOR,
ABANDONMENT IN OAKLAND
COUNTY, MICHIGAN**



To: Secretary
Surface Transportation Board (STB)
1925 K Street, N.W.
Washington, DC 20423-0001

CERTIFICATE OF COMPLIANCE WITH 49 C.F.R. PART 1105

I hereby certify that on March 28, 2007, copies of the Environmental Report and Historic Report for the above-captioned proceeding were served on the agencies listed at 49 C.F.R. § 1105.7(b), all agencies consulted in preparing the reports, and on the Michigan Department of History, Arts and Libraries. A service list is attached and incorporated into this certificate as Attachment A. The reports have been sent within the time period specified, as Grand Trunk Western Railroad Incorporated intends to file its Notice of Exemption in the above-captioned matter no earlier than April 18, 2007. All appropriate agencies as listed in 49 C.F.R. § 1105.7(e) have been consulted well in advance of preparing the Environmental Report.

I also certify that a newspaper notice was published on September 1, 2006, in the *Oakland Press*, a newspaper of general circulation in Oakland County, Michigan. The notice alerted the public to the proposed abandonment, to possible reuse alternatives, and to procedures for participating in the STB proceeding. A copy of the notice is attached to this certificate as Attachment B.

Dated this 28th day of March, 2007.

A handwritten signature in dark ink, appearing to read "T. J. Healey".

Thomas J. Healey
Attorney for Grand Trunk Western Railroad Incorporated

State Historic Preservation Officer
Library of Michigan
702 W. Kalamazoo St.
Lansing, MI 48909

Regional Director
National Park Service
601 Riverfront Drive
Omaha, NE 68102

Chief, Spatial Reference System Division
National Geodetic Survey
Nat'l Oceanic & Atmospheric Adm.
1315 East West Highway, Room 8813
Silver Spring, MD 20910

Mr. Craig Czarnecki
Field Supervisor
U.S. Fish & Wildlife Service
2651 Coolidge Road, Suite 101
East Lansing, MI 48823

Mr. Gary R. Mannesto
Chief, Regulatory Office
J.S. Army Corps of Engineers
Detroit District, PO Box 1027
Detroit, MI 48231

Ms. Rebecca Humphries
Director
Michigan Department of Natural Resources
PO Box 30028
Lansing, MI 48909

Mr. Kenneth A. Westlake
Chief, NEPA Implementation Section
US EPA, Region 5
77 W. Jackson Blvd.
Mail Code B-19J
Chicago, IL 60604-3590

Mr. Russell J. Harding
Director
Michigan Department of Environmental Quality
PO Box 30473-7973
Lansing, MI 48909

Costal Management Program
Michigan Department of Environmental Quality
Land and Water Management Division
PO Box 30028
Lansing, MI 48909

Mr. John Bricker
State Conservationist
USDA Natural Resources Conservation Service
3001 Coolidge Road, Suite 250
East Lansing, MI 48823

Mr. Bill Bullard, Jr.
Chairman
Oakland County Board of Commissioners
1200 North Telegraph Road
Pontiac, Michigan 48341-0421

Ms. Gloria J. Jeff
Director
Michigan Department of Transportation
425 Ottawa, PO Box 30050
Lansing, MI 48909

County of Oakland } ss.
STATE OF MICHIGAN,

Winfred L. Hill

being duly sworn,

deposes and says that I am the *Legal Rep* of THE OAKLAND PRESS, a newspaper printed and circulated daily in Oakland County, Michigan, and that I held such position during the publication of the notice hereto annexed; that a notice of

Public Notice of which the annexed notice is a true copy, was published in the said OAKLAND PRESS.

ONE Immediately preceding the *of September 1*, that the annexed printed copy of said notice was taken from the said newspaper. That the dates of

publication of said notice were

September 1, 2006 and further deponent sayeth not.

Christelle Hill

Subscribed and sworn to before me this *1* day of

September A.D. 20 *06*

Winfred L. Hill
NOTARY PUBLIC, OAKLAND COUNTY, MICHIGAN

THU 9 09:30 AM
NOTARY PUBLIC JANEER CO. MI
MY COMMISSION EXPIRES MAR 27, 2008

Notice in Oakland City

GRAND TRUNK WESTERN RAILROAD INCORPORATED gives notice that on or after September 15, 2006, it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of abandonment under 49 CFR 1152 Subpart F-Exempt Abandonments, permitting the abandonment of a 0.7 mile line of railroad between milepost 7.04 and milepost 6.28 in Orion Township, Oakland County, Michigan, which line traverses through US Postal Zip Code 48359. The proceeding will be docketed as AB-51 (Sub-No. 41X).

The Board's Office of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of abandonment. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make requests regarding environmental matters by writing to the SEA, Surface Transportation Board, 1925 K Street NW Washington, DC 20423, or by calling the office at (202) 503-1545.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail benefits may also can be filed with the Board. Any request and 10 copies of any pleading that relate matters other than environmental issues (such as track use, public use, and other of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 K Street NW, Washington, DC 20423-0001 (See 49 CFR 1104.116) and 1104.59(a), and, only copy must be served on applicant's representative (See 49 CFR 1104.12(a)). Questions regarding offers of financial assistance, public use or track use may be directed to the Chairman's Office for Congressional and Public Affairs at (202) 503-1552. Copies of any comments or requests for conditions should be served on the applicant's representative. Thomas J. Haskins, CN Law Department, 17641 S. Ashland Avenue, Farmington, CT 06030, telephone (860) 582-4861.

Public September 1, 2006



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

March 28, 2007

**Re: Grand Trunk Western Railroad Incorporated Notice of Exemption for Abandonment—
Oakland County, Michigan—Docket AB-31 (Sub-No. 41A)**

To Whom It May Concern:

Any time on or after April 18, 2007, Grand Trunk Western Railroad Incorporated ("GTW") expects to file with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon a railroad line located between milepost 7.06 and milepost 6.36, a distance of 0.7 miles, in Orion Township, Oakland County, Michigan. Enclosed is an Environmental Report and a Historic Report describing the proposed action and any expected environmental and historical effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental and historical analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental and historic review process, please contact their Section of Environmental Analysis (SEA), at the Surface Transportation Board, 1925 K Street, N.W., Washington, D.C. 20423-0001, (202) 565-1545, and refer to the above docket number.

GTW will file the Environmental Report and Historic Report with the STB on or about April 18, 2007. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the STB (with a copy to the undersigned) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and historical impact of the contemplated action.

If there are any questions concerning this proposal, please contact the undersigned directly at (708) 332-4381 or by mail at the above address.

Sincerely,

Thomas J. Healey
Attorney for Grand Trunk Western Railroad
Incorporated

Encls

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB-31 (SUB-NO. 41X)

**GRAND TRUNK WESTERN RAILROAD INCORPORATED
-- ABANDONMENT EXEMPTION --
IN OAKLAND COUNTY, MICHIGAN**

ENVIRONMENTAL/HISTORIC REPORT

Grand Trunk Western Railroad Incorporated ("GTW") submits this Environmental/Historic Report in compliance with the reporting requirements of 49 C.F.R. §§ 1105.7 and 1105.8. Supporting correspondence and certifications are attached. It is the conclusion of this Report that the proposed abandonment, if implemented, will not significantly affect either the quality of the human environment or the conservation of energy resources.

ENVIRONMENTAL REPORT - 49 C.F.R. § 1105.7(e)

I. Proposed Action and Alternatives. GTW seeks to abandon its line of railroad extending from milepost 7.06 to milepost 6.36 in Orion Township, Michigan (the "Line"). The Line is situated in Oakland County, Michigan and extends a total distance of approximately 0.7 miles.

The Line has not been required to serve any customer in many years. The Line was used to provide rail service (from a spur track located at milepost 6.85) to an electrical power substation formerly owned by Detroit Edison and now believed by GTW to be owned by International Transmission Company. There have been no rail shipments

of any kind on the Line in the last two years, and no reasonable possibility for the development of new rail traffic exists.

Following abandonment, GTW intends to salvage rail, ties and track materials from the Line. The railbed and subgrade of the Line will remain in place and not be disturbed. GTW believes that state or local parties may be interested in potential trails use of the Line.

No alternatives to the proposed abandonment have been considered. The only alternative is retention of the Line in its current, unused state, which would have no environmental impact.

A map showing the location of the Line is attached herein as **Appendix A**.

2. Transportation System. GTW does not anticipate that existing regional or local transportation systems or patterns will be affected by the proposed abandonment. No rail service is currently provided on the Line. Thus, no traffic will be diverted to other transportation systems or modes as a result of the proposed abandonment. Alternative rail service will continue to be available from GTW, as GTW's Orion Yard will remain located immediately adjacent to the abandonment site. There is no overhead traffic on the Line, and no passenger trains are operated over the Line.

Abandonment of the Line will not impact at-grade rail-highway crossings, as no such crossings exist on the Line or associated spur track.

GTW has contacted and requested comments from the State of Michigan Department of Transportation. See correspondence attached herein as **Appendix B**. The State of Michigan Department of Transportation stated there were no environmental

impacts in the project area, and that if there were no earth disturbance there would be no impact from the abandonment.

3. Land Use.

(i) GTW does not foresee any inconsistency with regional and/or local land use plans, but has contacted and requested comments from the National Geodetic Survey. See correspondence attached herein as **Appendix C**. There has been no response to date

(ii) The proposed abandonment lies entirely within the city limits of Orion Township, Michigan. The Natural Resources Conservation Service of the United States Department of Agriculture has confirmed that the proposed abandonment will not have an adverse impact on any prime agricultural lands. See correspondence attached herein as **Appendix D**.

(iii) This track does not lie within a designated Coastal Zone Management Area and, accordingly, the proposed abandonment will not affect any land or water uses in such an area or result in any coastal impacts. The Michigan Department of Environmental Quality, Land and Water Management Division, has confirmed that this track is located outside of Michigan's coastal management boundary and that abandonment is consistent with the Michigan Coastal Management Program. See correspondence attached herein as **Appendix E**.

(iv) GTW is not aware of any alternative public use under 49 U.S.C. § 10905 for which the right-of-way of this track would be suitable. As indicated above, however, GTW believes that interest may exist for use of this right-of-way as a recreational trail

4. Energy.

(i) The proposed abandonment will not have any effect on the transportation of energy resources. No energy resource commodities move on the Line, and GTW foresees little or no possibility that such on-line traffic would develop in the future

(ii) The movement and/or recovery of recyclable commodities will not be adversely affected by this abandonment. No such traffic has been handled on this line for many years (if ever), and GTW foresees little or no possibility that any online recyclable commodity traffic would develop in the future.

(iii) Abandonment will not result in an increase or decrease in overall energy efficiency. There is no freight traffic on the Line and thus there will be no changes in existing transportation patterns or energy usage as a result of the proposed abandonment.

(iv) Not applicable. Abandonment of the Line will not cause the diversion of more than 1,000 rail carloads per year or an average of 50 rail carloads per mile per year to motor carriers.

5. Air.

(i) Not applicable. Abandonment will not result in (A) a minimum increase in rail traffic of 100% or eight trains per day on any segment of rail line, (B) an increase in rail yard activity of at least 100%, or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles per day on any road segment.

(ii) Not applicable Abandonment of the Line will not result in traffic increases which exceed the thresholds specified in 49 C.F.R. §1105 7(e)(5)(ii)(A), (B) or (C)

(iii) Not applicable. There is no traffic on the proposed abandonment, thus no shipments of ozone-depleting materials will be diverted as a result of this abandonment.

6. Noise Not applicable. As indicated above, none of the thresholds identified in 49 C.F.R. § 1105 7(e)(5)(i) will be exceeded as a result of the abandonment.

7. Safety

(i) The proposed action will have no adverse effect upon public health or safety. During any salvage operations on the track, precautions will be taken to ensure public safety

(ii) Not applicable. To GTW's knowledge, no hazardous commodities were ever handled on this Line. Accordingly, the proposed abandonment will have no effect on the transportation of hazardous materials.

(iii) To the best of GTW's knowledge, there are no known hazardous waste sites or any hazardous waste materials involved. Therefore, GTW believes that its abandonment will not have any adverse impact on this site.

8. Biological Resources

(i) GTW does not believe that any endangered or threatened species are present in the area or would be adversely affected Salvage operations will be handled within the right-of-way using existing access routes. The Michigan Department of Natural Resources concluded that there are no known occurrences of federal or state

listed endangered, threatened or otherwise significant species, natural plant communities or natural features in the proposed abandonment area. See correspondence attached as **Appendix F**. The U.S. Fish and Wildlife Service indicated that the proposed abandonment is within the breeding range of the Indiana bat, but that the bats are unlikely to be affected. No other federally listed species are in the vicinity. See correspondence attached as **Appendix G**.

(ii) The Line does not pass through or adjacent to any wildlife sanctuaries or refuges or any national or state parks or forests and, accordingly, none will be adversely affected. GTW has contacted and requested comments from the National Park Service. See correspondence attached herein as **Appendix H**. There has been no response to date.

9. Water Any water quality effects of the proposed abandonment should be minimal. The Line does not pass over any waterways. GTW does not intend to alter the contour of the roadbed underlying this line in connection with the proposed abandonment. GTW likewise does not anticipate discharge of any materials into navigable waters that would require permits under Sections 402 and 404 of the Clean Water Act.

(i) The Michigan Department of Environmental Quality indicated that this line lies adjacent to a wetland. Any activities involving wetlands would require departmental permits. Given GTW's intentions for the line after abandonment, it foresees no adverse impact on wetlands, nor a need to get permits. See correspondence attached herein as **Appendix I**.

(ii) GTW also requested comments from the Army Corps of Engineers. The project site lies within an area assumed by the Michigan Department of Environmental Quality (MDEQ). It is recommended that a permit be obtained from the MDEQ. See correspondence attached herein as **Appendix J**

(iii) The Michigan Department of US Environmental Protection Agency has been contacted and we have requested comments from them. See correspondence attached herein as **Appendix K**. There has been no response to date. GTW believes that no permits under section 402 of the Clean Water Act (33 U.S.C. 1342) will be required for the proposed action.

10. **Proposed Mitigation.** As no adverse impact is anticipated, GTW does not propose any mitigation activities.

HISTORIC REPORT - 49 C.F.R. § 1105.8(d)

1. **Map.** A map of the Line is attached hereto as **Appendix A**.

2. **Description of Line** The line to be abandoned extends from milepost 7.06 to milepost 6.36 in Orion Township, Michigan. The Line is situated in Oakland County, Michigan and extends a total distance of approximately 0.7 miles, or 3,907 feet. It is 50 feet wide for a total of 4.48 acres. There is a concrete culvert located on the line to be abandoned.

3. **Photographs.** Attached as **Appendix I** is a copy of color photographs of the Line. Color photographs have been provided to the State Historic Preservation Officer ("SHPO") within the Michigan Department of History, Art and Libraries.

4 Information on Structures There are no buildings, structures, or bridges within the proposed Line abandonment.

5. History of Operations. The Line was used to provide rail service (from a spur track located at milepost 6.85) to an electrical power substation formerly owned by Detroit Edison and now believed by GTW to be owned by International Transmission Company. There have been no rail shipments of any kind on the Line in the last two years, and no reasonable possibility for the development of new rail traffic exists.

6. Engineering Documents. GTW will disclose any documents, or drawings that might be useful in preparation for this abandonment.

7 Historic Criteria Based on readily available information in its possession, GTW believes that no site or structure listed in or meeting the criteria for listing in the Natural Register of Historic Places is located on the Line or will be affected by the abandonment. As noted above, there are no buildings or structures located within the proposed abandonment area. GTW also believes that no culturally significant locations, archaeological sites or unique landforms will be affected by the abandonment. GTW has contacted and given notice of the proposed abandonment to The State Historic Preservation Officer within the Michigan Department of History, Art & Libraries. See correspondence attached as Appendices M and N, respectively.

8. Ground Disturbances. GTW is unaware of any possibility that archaeological resources may be in the area. The abandonment activities should have no impact as GTW simply intends on removing the rail and ties and leaving the right-of-way intact for possible trail-conversion purposes. Access to the line is generally good.

Dated. March 28, 2007

Respectfully submitted,

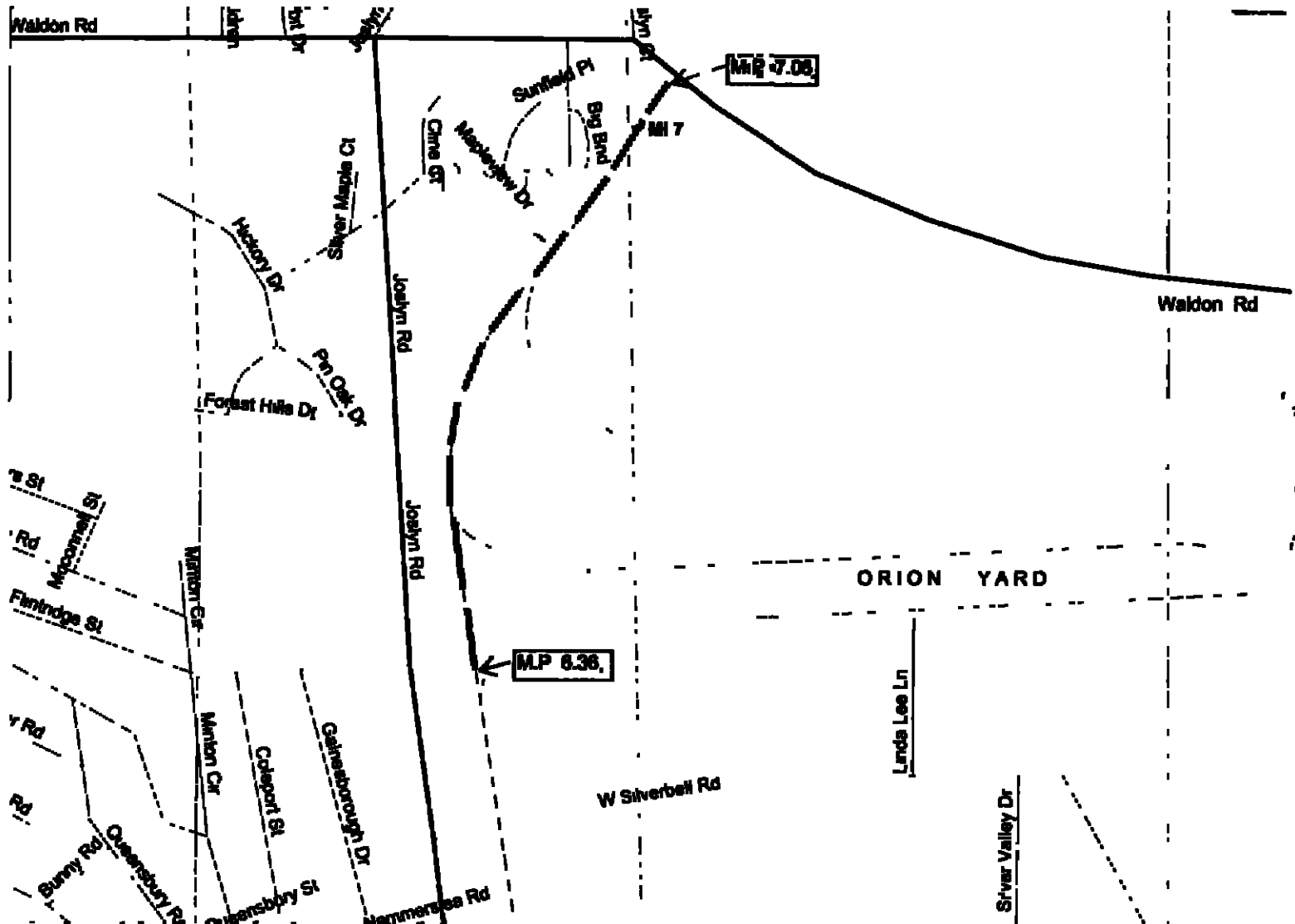


Thomas J. Healey
Attorney for the Grand Trunk Western
Railroad Incorporated
CN
17641 South Ashland Avenue
Homewood, IL 60430-1345
Telephone. 708-332-3954
Fax: 708-332-4361

CNRP Inc BaseMap

ORION TOWNSHIP OAKLAND COUNTY MICHIGAN

Zip Code Area 48369



— R.R. LINE TO BE ABANDONED

CASS CITY SUBDIVISION - Milepost 6.36 to 7.06

APPENDIX A

April 24, 2006



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Law

Thomas J. Healey
Counsel Regulatory

17641 S Ashland Avenue
Homewood, IL 60430-1339

T - 708 332-4381
F - 708-332-4361
tom.healey@cn.ca

August 16, 2008

Ms Gloria J. Jeff
Director
Michigan Department of Transportation
425 Ottawa
P O Box 30050
Lansing, MI 48909

Re. Grand Trunk Western Railroad Incorporated Proposed Abandonment in Oakland County, Michigan

Dear Ms. Jeff:

Grand Trunk Western Railroad Incorporated ("GTW") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.7 mile line of railroad starting at MP 7.06 and ending at MP 6.36 in Onon Township, Oakland County, Michigan. For your convenience, we have attached a map for your reference. GTW is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

- 1 Water quality,
- 2 Designated wetlands,
- 3 100-year-old flood plains,
- 4 Endangered or threatened species,
- 5 Critical habitats,
- 6 Wildlife sanctuaries or refuges,
- 7 National or state parks or forests;
- 8 Coastal zone management,
- 9 Soil and natural resource conservation,
- 10 Agricultural land,
11. Regional and/or local use plans; and
- 12 The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Grand Trunk Western Railroad Incorporated

Encl



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
LANSING

KIRK T. STEUDLE
DIRECTOR

September 15, 2006

Mr. Thomas J. Healey, Counsel
Grand Trunk Western Railroad Incorporated
17641 South Ashland Avenue
Homewood, Illinois 60430-1339

Dear Mr. Healey:

Subject: Grand Trunk Railroad Incorporated - Proposed Abandonment in Oakland County, Michigan

Director Steudle has asked me to respond to your letter of August 16, 2006. After reviewing the proposed project scope and location, the Michigan Department of Transportation has no environmental concerns.

Thank you for the opportunity to comment on this matter. If there are any questions, please feel free to contact me at (517) 335-2622 or e-mail to mcallisterpx@michigan.gov.

Sincerely,

Paul W. McAllister, Supervisor
Project Coordination Unit
Environmental Section
Project Planning Division



www.cn.ca

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Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332 4381
F - 708-332 4361
tom.healey@cn.ca

August 16, 2006

Chief, Spatial Reference System Division
National Geodetic Survey
Nat'l Oceanic & Atmospheric Adm
1315 East West Highway, Room 8813
Silver Spring, MD 20910

Re Grand Trunk Western Railroad Incorporated Proposed Abandonment in Oakland County,
Michigan

Dear Sir/Madam

Grand Trunk Western Railroad Incorporated ("GTW") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.7 mile line of railroad starting at MP 7.06 and ending at MP 6.36 in Orion Township, Oakland County, Michigan. For your convenience, we have attached a map for your reference. GTW is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

- 1 Water quality,
- 2 Designated wetlands,
- 3 100-year-old flood plains,
- 4 Endangered or threatened species,
- 5 Critical habitats,
- 6 Wildlife sanctuaries or refuges;
- 7 National or state parks or forests;
8. Coastal zone management,
- 9 Soil and natural resource conservation,
- 10 Agricultural land,
- 11 Regional and/or local use plans, and
- 12 The need for permits under Sections 402 or 404 of the Clean Water Act

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,


Thomas J. Healey
Counsel for Grand Trunk Western Railroad Incorporated

Encl



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Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
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tom.healey@cn.ca

August 16, 2006

Mr. John Bricker
State Conservationist
USDA Natural Resources Conservation Service
3001 Coolidge Road
Suite 250
East Lansing, MI 48823

Re Grand Trunk Western Railroad Incorporated Proposed Abandonment in Oakland County, Michigan

Dear Mr. Bricker:

Grand Trunk Western Railroad Incorporated ("GTW") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.7 mile line of railroad starting at MP 7.06 and ending at MP 6.36 in Orion Township, Oakland County, Michigan. For your convenience, we have attached a map for your reference. GTW is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality,
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3. 100-year-old flood plains,
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5. Critical habitats,
6. Wildlife sanctuaries or refuges,
7. National or state parks or forests,
8. Coastal zone management,
9. Soil and natural resource conservation,
10. Agricultural land,
11. Regional and/or local use plans, and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Grand Trunk Western Railroad Incorporated

Encl

APPENDIX D

United States Department of Agriculture



Helping People Help the Land

Natural Resources Conservation Service

3001 Coolidge Road, Suite 250

East Lansing, MI 48823

T (517) 324-5270/ F (517) 324-5171/ www.mi.nrcs.usda.gov

August 23, 2006

Mr. Thomas J. Healey, Counsel
Grand Trunk Western Railroad
17641 S. Ashland Avenue
Homewood, Illinois 60430-1339

RE: Grand Trunk Western Railroad Incorporated Proposed Abandonment in Oakland County, Michigan

Dear Mr. Healey:

We have reviewed the railroad abandonment proposed in Orion Township, Oakland County Michigan starting at Milepost 7.06 and ending at Milepost 6.36. Our study finds that this abandonment will not negatively affect agricultural land.

Sincerely,



JOHN A. BRICKER
State Conservationist

cc:

Jay Blair, District Conservationist, NRCS, Lapecr, MI
Albert Jones, Area Conservationist, NRCS, Flint, MI



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Thomas J. Healey
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August 16, 2006

Coastal Management Program
Michigan Department of Environmental Quality
Land and Water Management Division
P O Box 30028
Lansing, MI 48909

Re: Grand Trunk Western Railroad Incorporated Proposed Abandonment in Oakland County, Michigan

To Whom It May Concern.

Grand Trunk Western Railroad Incorporated ("GTW") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.7 mile line of railroad starting at MP 7.06 and ending at MP 6.36 in Orion Township, Oakland County, Michigan. For your convenience, we have attached a map for your reference. GTW is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

- 1 Water quality,
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- 10 Agricultural land,
11. Regional and/or local use plans, and
- 12 The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Grand Trunk Western Railroad Incorporated

Encl

APPENDIX C



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



STEVEN E. CHESTER
DIRECTOR

October 4, 2006

Mr. Thomas J. Healey, Counsel
Grand Trunk Western Railroad Inc.
17641 S. Ashland Avenue
Homewood, Illinois 60430

Dear Mr. Healey:

Subject: Federal Consistency Determination, Environmental Assessment for Proposed Railway Abandonment between MP 7.06 and MP 6.36 in Orion Township, Oakland County, Michigan

Staff of the Land and Water Management Division have reviewed this phase of the project for consistency with Michigan's Coastal Management Program (MCMP), as required by Section 307 of the Coastal Zone Management Act, PL 92-583, as amended (CZMA). Thank you for providing the opportunity to review this proposed activity.

Our review indicates that this project is located outside of Michigan's coastal management boundary. No adverse impacts to coastal resources are anticipated from this proposed activity as described in the information you forwarded to our office. Therefore, this phase of the project is consistent with the MCMP.

This consistency determination does not waive the need for permits that may be required under other federal, state or local statutes. Please call me if you have any questions regarding this review.

Sincerely,

Chris Antieau
Great Lakes Shorelands Section
Land and Water Management Division
517-373-3894

cc Ms. Catherine C. Ballard, DEQ



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430 1339

T - 708-332-4381
F 708-332 4361
tom.healey@cn.ca

August 16, 2006

Ms. Rebecca Humphries
Director
Michigan Department of Natural Resources
P.O. Box 30028
Lansing, MI 48909

Re: Grand Trunk Western Railroad Incorporated Proposed Abandonment in Oakland County, Michigan

Dear Ms. Humphries:

Grand Trunk Western Railroad Incorporated ("GTW") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.7 mile line of railroad starting at MP 7.06 and ending at MP 6.36 in Orion Township, Oakland County, Michigan. For your convenience, we have attached a map for your reference. GTW is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality,
2. Designated wetlands,
3. 100-year-old flood plains,
4. Endangered or threatened species,
5. Critical habitats,
6. Wildlife sanctuaries or refuges,
7. National or state parks or forests,
8. Coastal zone management,
9. Soil and natural resource conservation,
10. Agricultural land,
11. Regional and/or local use plans, and
12. The need for permits under Sections 402 or 404 of the Clean Water Act

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Grand Trunk Western Railroad Incorporated

Encl



STATE OF MICHIGAN

JENNIFER M. GRANHOLM
GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
LANSING

REBECCA A. HUMPHRIES
DIRECTOR

September 22, 2006

Mr. Thomas J. Healey
Counsel – Regulatory
17641 South Ashland Avenue
Homewood, Illinois 60430-1339

Dear Mr. Healey,

Thank you for your recent letter to the Director Rebecca A. Humphries. Director Humphries has asked me to respond to your request for an environmental review in Orion Township.

The Michigan Department of Natural Resources has primary responsibility for items four through seven on the list referenced in your letter. This response deals specifically with those items. The Department of Environmental Quality and Department of Agriculture have primary responsibility for the remaining items.

The location of the proposed project was checked against known localities of Michigan's endangered, threatened, or otherwise significant plant and animal species, natural plant communities, and other natural features by our Natural Heritage staff.

The project you describe from Oakland County, Section 28, T4N, R10E, should have no impact on rare or unique natural features at the location specified if it proceeds according to the plans provided. Please contact us for an evaluation if the project plans are changed.

Thank you for addressing the protection of Michigan's natural resource heritage. If you have any questions or need additional information, please contact Ms. Lon Sargent, Program Specialist, Wildlife Division, at 517-373-1263.

Sincerely,

William E. Mortz, Chief
Wildlife Division
517-373-1263

cc: Director Steven E. Chester, DEQ
Director Mitch Irwin, MDA
Director Rebecca A. Humphries, DNR
Mr. Dennis Fedewa, Chief Deputy, DNR
Ms. Mindy Koch, Resource Management Deputy, DNR
Mr. Raymond Rustem, DNR
Ms. Lon Sargent, DNR



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Law

Thomas J. Healey
Counsel Regulatory

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T - 708-332-4381
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tom.healey@cn.ca

August 16, 2006

Mr. Craig Czarniecki
Field Supervisor
U.S. Fish & Wildlife Service
2651 Coolidge Road, Suite 101
East Lansing, MI 48823

Re: Grand Trunk Western Railroad Incorporated Proposed Abandonment in Oakland County, Michigan

Dear Mr. Czarniecki:

Grand Trunk Western Railroad Incorporated ("GTW") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.7 mile line of railroad starting at MP 7.06 and ending at MP 6.36 in Orion Township, Oakland County, Michigan. For your convenience, we have attached a map for your reference. GTW is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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9. Soil and natural resource conservation,
10. Agricultural land,
11. Regional and/or local use plans, and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

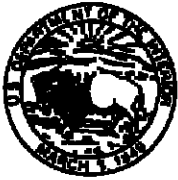
Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Grand Trunk Western Railroad Incorporated

Encl



United States Department of the Interior

FISH AND WILDLIFE SERVICE

East Lansing Field Office (ES)

2651 Coolidge Road, Suite 101

East Lansing, Michigan 48823-6316

IN REPLY REFER TO

September 19, 2006

Mr Thomas J Healey
Counsel Regulatory
Grand Trunk Western Railroad Incorporated
17641 S Ashland Avenue
Homewood, IL 60430-1339

Re Endangered Species List Request, Proposed Grand Trunk Western Railroad Incorporated
(GTW) Abandonment, Orion Township, Oakland County, Michigan

Dear Mr Healey:

Thank you for your August 16, 2006 request for information regarding federally listed and proposed threatened and endangered species, candidate species, or critical habitat near your proposed project. Your request and this response are made pursuant to section 7 of the Endangered Species Act of 1973, as amended (Act) and the Fish and Wildlife Coordination Act. Under this project, the GTW proposes to abandon an approximately 0.7 mile line of railroad, beginning at MP 7.06 and ending at MP 6.36.

Oakland County is within the breeding range of the endangered Indiana bat (*Myotis sodalis*). However, based on the nature of your project, this species is unlikely to be affected by the abandonment of the rail line. This precludes the need for further action on this project as required by the Act. If, however, more than six months pass, project plans change, or new information becomes available that indicates listed species or proposed species may be affected, you should conduct further consultation with this office.

Please contact the Michigan Department of Natural Resources at 517/373-1263 for information regarding the protection of threatened and endangered species under State law. State law may require a permit in advance of any work that could potentially damage, destroy or displace state-listed species.

Fish and Wildlife Coordination Act

According to the U.S. Fish and Wildlife Service Wetlands Mapper website, <http://wetlandsfws.er.usgs.gov/>, wetlands and/or open water systems occur near the proposed project site. Pursuant to Part 303, Wetland Protection, of the NREPA, the State of Michigan regulates certain activities in wetlands. Development that would impact wetlands may require a permit for which this office may have review authority under the Fish and Wildlife Coordination


Mr Thomas J Healey

2

.Act In the review of these permit applications, we may concur (with or without stipulations) or object to permit issuance depending whether the proposed work may impact public trust fish and wildlife resources. We recommend you contact the Michigan Department of Environmental Quality (MDEQ), Land and Water Management Division at for information concerning the need for permits under State law.

We appreciate your concern for endangered and threatened species. Any questions can be directed to Tameka Dandridge of this office at Tameka_Dandridge@fwis.gov or 517/351-8315.

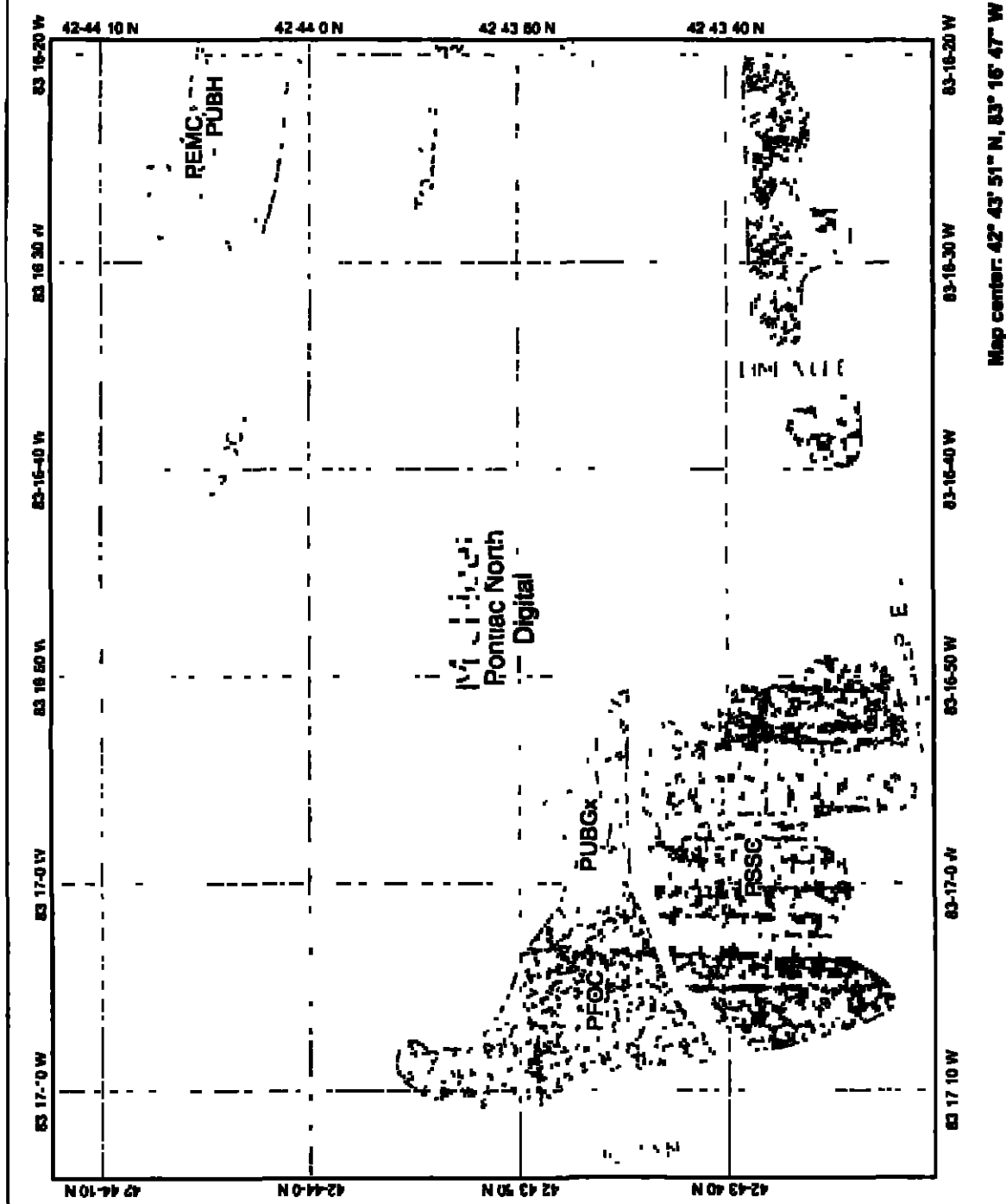
Sincerely,


for Craig A. Czarniecki
Field Supervisor

cc MDNR-Wildlife Division, Lansing, MI (Attn: Lori Sargent)
MDEQ, Land and Water Management Division, Lansing, MI (Attn: Peg Bostwick)

\\admin\archives\sep06\sc 11-UCN-rail_aband ind doc

Wetlands near rail abandonment



Legend

- Interstate
- Major Roads
- Other Road
- Federal
- State highway
- US highway
- Roads
- Cut on
- USGS Quad Index 24K
- Lower 48 Wetland Polygons
- Estuary and Marine Deposits
- Estuary and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Reverend
- Lower 48 Available Wetland Data
- Non-Digital
- Digital
- No Data
- Scan
- NHD Streams
- Courtesy 100K
- Urban Areas 300K
- States 100K
- South America
- North America



Scale 1:12,183

Map center: 42° 43' 51" N, 83° 16' 47" W

This map is a user generated static output from an internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate current or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S Ashland Avenue
Homewood, IL 60430-1339

T - 708 332-4381
F - 708-332 4361
tom.healey@cn.ca

August 16, 2006

Regional Director
National Park Service
601 Riverfront Drive
Omaha, NE 68102

Re Grand Trunk Western Railroad Incorporated Proposed Abandonment in Oakland County,
Michigan

To Whom It May Concern

Grand Trunk Western Railroad Incorporated ("GTW") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.7 mile line of railroad starting at MP 7.06 and ending at MP 6.36 in Orion Township, Oakland County, Michigan. For your convenience, we have attached a map for your reference. GTW is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following.

- 1 Water quality,
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- 5 Critical habitats;
- 6 Wildlife sanctuaries or refuges,
- 7 National or state parks or forests,
- 8 Coastal zone management,
- 9 Soil and natural resource conservation;
10. Agricultural land,
- 11 Regional and/or local use plans, and
- 12 The need for permits under Sections 402 or 404 of the Clean Water Act

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Grand Trunk Western Railroad Incorporated

Encl

APPENDIX H



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Law

Thomas J. Healey
Counsel Regulatory

17641 S Ashland Avenue
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T - 708-332-4381
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tom.healey@cn.ca

August 16, 2006

Mr Russell J Harding
Director
Michigan Department of Environmental Quality
P O. Box 30473-7973
Lansing, MI 48909

Re Grand Trunk Western Railroad Incorporated Proposed Abandonment in Oakland County,
Michigan

Dear Mr Harding:

Grand Trunk Western Railroad Incorporated ("GTW") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.7 mile line of railroad starting at MP 7.06 and ending at MP 6.36 in Orion Township, Oakland County, Michigan. For your convenience, we have attached a map for your reference. GTW is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following.

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Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Grand Trunk Western Railroad Incorporated

Encl



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



STEVEN E. CHESTER
DIRECTOR

November 3, 2006

Mr. Thomas J. Healey
Counsel for Grand Trunk Western Railroad
17641 South Ashland Avenue
Homewood, Illinois 60430-1339

Dear Mr. Healey

Your August 16, 2006 letter to the Michigan Department of Natural Resources has been forwarded to the Michigan Department of Environmental Quality (MDEQ) for further response.

The proposed abandonment of a segment of the Grand Trunk Western Railroad in Orion Township, Oakland County lies adjacent to a wetland shown as a Palustrine, forested shrub-scrub habitat that borders on the extreme southeast portion of the site. An aerial photograph shows there are several small ponds within one quarter mile of the railroad and one borders on the east side of the right-of-way. The entire area shows soil types that are hydric or typically contain hydric inclusions. The area is not shown to be in a floodplain. A permit would not be necessary under Sections 402 and 404 of the Clean Water Act (which the MDEQ administers) for the removal of the track and ties. However, if abandonment includes temporary haul roads or stockpiles within a regulated wetland, a permit would be required from the MDEQ's Land and Water Management Division (LWMD).

The MDEQ's Water Bureau has concluded that this abandonment would not have a negative water quality impact if the abandonment is limited to the rail and ties. Removal of the railroad grade base may have impacts depending on the method of removal and placement of the spoils.

This activity does not fall within the authority of Michigan's Coastal Zone Management Program.

We recommend you contact the local unit of government or the Southeast Michigan Council of Governments for local and regional land use plans. In addition, the federal Natural Resources Conservation Service would be the best source of information for agricultural land and soil, and natural resource conservations.

Thank you for the opportunity to comment on your proposal. If you have questions, please contact Mr. Martin Jannereth, LWMD, at 517-335-6844.

Sincerely,

Elizabeth M. Browne, Acting, Chief
Land and Water Management Division
517-241-1515

cc Mr. Stanley F. Pruss, Deputy Director, MDEQ
Mr. Martin Jannereth, MDEQ



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332 4361
tom.healey@cn.ca

August 16, 2006

Mr. Gary R. Mannesto
Chief, Regulatory Office
U S Army Corps of Engineers
Detroit District
P O Box 1027
Detroit, MI 48231

Re Grand Trunk Western Railroad Incorporated Proposed Abandonment in Oakland County, Michigan

Dear Mr. Mannesto

Grand Trunk Western Railroad Incorporated ("GTW") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.7 mile line of railroad starting at MP 7.06 and ending at MP 8.36 in Orion Township, Oakland County, Michigan. For your convenience, we have attached a map for your reference. GTW is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,


Thomas J. Healey
Counsel for Grand Trunk Western Railroad Incorporated

End



DEPARTMENT OF THE ARMY
DETROIT DISTRICT, CORPS OF ENGINEERS
BOX 1027
DETROIT MICHIGAN 48231 1027

August 31, 2006

IN REPLY REFER TO

Engineering & Technical Services
Regulatory Office
File No. 06-263-000-0

Thomas J Healey
Grand Trunk Western Railroad Inc
17641 S. Ashland Avenue
Homewood, Illinois 60430-1339

Dear Mr. Healey,

This is in response to your recent correspondence regarding Department of the Army jurisdiction on the proposed abandonment of a railroad line between Waldon and W. Silverhell Roads, in Orion Township, Michigan (Section 28, Township 4N, Range 10E). Thank you for giving the Corps of Engineers the opportunity to review this project

In 1984 a portion of the Corps' regulatory responsibilities was assumed by the Michigan Department of Environmental Quality (MDEQ). This project site is within the assumed area. Unless otherwise notified, a separate authorization from the Corps is not required; however, a permit must be obtained from the MDEQ. Therefore, we recommend that you contact Mr. Andrew Hartz of the Michigan Department of Environmental Quality, Land and Water Management Division, 27700 Donald Court, Warren, Michigan, 48092-2793, (586) 753-3867 for a determination of State permit requirements.

If you have any questions please contact me at the above address or telephone (313) 226-5382. Please refer to File Number: 06-263-000-0.

Sincerely,

Eric J Warda
Project Manager
Enforcement Branch

Enclosures

Copy Furnished

MDEQ, Southeast Michigan District Office



www.cn.ca

Law

Thomas J. Healey
Counsel Regulatory

17641 S Ashland Avenue
Homewood, IL 60430-1339

T - 708-332 4381
F - 708-332-4361
tom.healey@cn.ca

August 16, 2006

Mr Kenneth A Westlake
Chief, NEPA Implementation Section
US EPA, Region 5
77 W Jackson Blvd
Mail Code B-19J
Chicago, IL 60604-3590

Re Grand Trunk Western Railroad Incorporated Proposed Abandonment in Oakland County, Michigan

Dear Mr Westlake,

Grand Trunk Western Railroad Incorporated ("GTW") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.7 mile line of railroad starting at MP 7.06 and ending at MP 6.36 in Orion Township, Oakland County, Michigan. For your convenience, we have attached a map for your reference. GTW is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following.

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Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Grand Trunk Western Railroad Incorporated

Encl

APPENDIX K



APPENDIX L



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Law

Thomas J. Healey
Counsel Regulatory

17641 S Ashland Avenue
Homewood, IL 60430 1339

T - 708 332-4381
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tom.healey@cn.ca

August 17, 2006

State Historic Preservation Officer
Library of Michigan
702 W Kalamazoo St
Lansing, MI 48909

Re. Grand Trunk Western Railroad Incorporated Proposed Abandonment in Oakland
County, Michigan

To Whom It May Concern.

Grand Trunk Western Railroad Incorporated ("GTW") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.7 mile line of railroad starting at MP 7.06 and ending at MP 6.36 in Orion Township, Oakland County, Michigan. For your convenience, we have attached a map for your reference. GTW is advising you of the proposed action so you may assist us in performing a historical review process. To the best of our knowledge, there are no bridges or structures 50 years old or older on this line segment. There is one concrete culvert located on the line to be abandoned. I hope to have a photograph of the culvert next week, and will forward it when it is received.

Thank you for your assistance. Please call me should you have questions.

Very truly yours,

Thomas J. Healey
Counsel for Grand Trunk Western Railroad Incorporated

Enc.

APPENDIX M
APPENDIX N



STATE OF MICHIGAN

JENNIFER GRANHOLM
GOVERNOR

DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING

DR WILLIAM ANDERSON
DIRECTOR

August 23, 2006

THOMAS HEALEY
CANADIAN NATIONAL RAILWAY
17641 S ASHLAND AVENUE
HOMewood II 60430-1339

Dear Mr. Healey

The State Historic Preservation Officer (SHPO) received your preliminary coordination notification for review under Section 106 of the National Historic Preservation Act of 1966, as amended. The Section 106 regulations specify what is required for a Section 106 review [36 CFR § 800.11].

Section 106 requires federal agencies to take into account the effect of their undertakings on historic properties. It is the responsibility of the federal agency, *not the SHPO*, to fulfill the requirements of Section 106. In some instances, the federal agency may delegate legal responsibility to a state, local, or tribal government. Consultants or designees contracted to prepare information, analyses, or recommendations, are *not* recognized as federally-delegated authorities. For your reference, a complete version of the Section 106 regulations can be found at www.achp.gov/regs.html.

The mandatory application form and instructions for submitting projects for review under Section 106 may be downloaded in MS Word format from our website at www.michigan.gov/shpo. Please read each requirement carefully in its respective field, and respond in full. If the Section 106 responsibilities will be delegated, please notify those submitting projects for our review that they must utilize the application form. Incomplete applications and projects not submitted on the application forms will be sent back to the applicant without comment.

Thank you for your cooperation.

Sincerely,


Brian G. Grennell
Environmental Review Specialist

for Brian D. Conway
State Historic Preservation Officer

Enclosure(s)



STATE OF MICHIGAN

JENNIFER GRANHOLM
GOVERNOR

DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING

DR WILLIAM ANDERSON
DIRECTOR

October 30, 2006

VICTORIA RUTSON
SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS
1925 K STREET NW
WASHINGTON DC 20423-0001

RE ER07-27 AB-31 (Sub-No 41X) Grand Trunk Western Railroad Inc -Section 28, R10E, T4N, Orion Twp ,
Oakland County (STB)

Dear Ms. Rutson

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the above-cited undertaking at the location noted above. Based on the information provided for our review, it is the opinion of the State Historic Preservation Officer (SHPO) that no historic properties are affected within the area of potential effects of this undertaking.

The views of the public are essential to informed decision making in the Section 106 process. Federal Agency Officials or their delegated authorities must plan to involve the public in a manner that reflects the nature and complexity of the undertaking, its effects on historic properties and other provisions per 36 CFR § 800.2(d). We remind you that Federal Agency Officials or their delegated authorities are required to consult with the appropriate Indian tribe and/or Tribal Historic Preservation Officer (THPO) when the undertaking may occur on or affect any historic properties on tribal lands. In all cases, whether the project occurs on tribal lands or not, Federal Agency Officials or their delegated authorities are also required to make a reasonable and good faith effort to identify any Indian tribes or Native Hawaiian organizations that might attach religious and cultural significance to historic properties in the area of potential effects and invite them to be consulting parties per 36 CFR § 800.2(c-f).

This letter evidences the Surface Transportation Board's compliance with 36 CFR § 800.4 "Identification of historic properties", and the fulfillment of the Surface Transportation Board's responsibility to notify the SHPO, as a consulting party in the Section 106 process, under 36 CFR § 800.4(d)(1) "No historic properties affected".

The State Historic Preservation Office is not the office of record for this undertaking. You are therefore asked to maintain a copy of this letter with your environmental review record for this undertaking. If the scope of work changes in any way, or if artifacts or bones are discovered, please notify this office immediately.

If you have any questions, please contact Brian Grennell, Environmental Review Specialist, at (517) 315-2721 or by email at FR@michigan.gov. Please reference our project number in all communication with this office regarding this undertaking. Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,


Martha MacFarlane
Environmental Review Coordinator

for Brian D. Conway
State Historic Preservation Officer

MMT-JRI:BOG cc

Copy Thomas Healey-CN